MINUTES OF THE BEAR RIVER COMMISSION ANNUAL MEETING

April 29, 1982

Wildlife Resources Conference Room 1596 West North Temple Salt Lake City, Utah

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1:30 p.m.

CALL TO ORDER

CHAIRMAN JIBSON: Ladies and Gentlemen - the Annual meeting of the Bear River Commission will come to order. To begin, even though most know each other it might be well if we quickly go around the room with introductions. Ken, why don't we start with you and go around this table and then back and forth across the group.

THOSE PRESENT

UNITED STATES

Wallace N. Jibson, Chairman and Federal Representative

UTAH COMMISSIONERS

Daniel F. Lawrence (Secretary Treasurer)

Simeon Weston
Paul Holmgren
Calvin Funk, Alternate
Blair R. Francis, Alternate

IDAHO COMMISSIONERS

Ken Dunn, Director - Idaho Dept. of Water Resources Don W. Gilbert Donald S. Rex Daniel Roberts

WYOMING COMMISSIONERS

George Christopulos J. W. Myers S. Reed Dayton

LEGAL ADVISER

E. J. Skeen

OTHERS IN ATTENDANCE

Dee C. Hansen, State Engineer, Utah Norman Stauffer, Division of Water Resources, Utah R. Michael Turnipseed, Division of Water Rights, Utah Walter R. Scott, Commissioner - Utah-Wyoming John Thomas, Last Chance Canal, Idaho

John Teichert, Superintendent, Water Division #4, Wyoming Marvin Bollschweiler, Hydrographer, Wyoming John P. Buyok, State Engineer's Office, Wyoming Lawrence T. Wolfe, Attorney General's Office, Wyoming

Ted Arnow, District Chief, U.S. Geological Survey

J. G. Haight, Utah Power & Light Company Jody Williams, Utah Power & Light Company Carly Burton, Utah Power & Light Company

Connie Borrowman, Secretary to the Commission

APPROVAL OF MINUTES OF LAST MEETING

CHAIRMAN JIBSON: Our next item on the agenda is the reading of the Minutes of the last meeting. I have summarized the Minutes. Those of you who regularly receive Minutes should have received them by now. I think they went out about the first part of this month - the 6th or something like that. Is there anyone who didn't receive copies of the Minutes who is on the regular mailing list?

Our last meeting was the Regular meeting of December 7, 1981.

Regular Meeting - December 7, 1981 Review of Minutes

The Regular Meeting convened at 10:30 a.m. in Salt Lake City. All voting commissioners were present including Don Rex, Montpelier, who replaced Cliff Skinner. Reed Dayton, from Cokeville, was back with us after an absence of about three years. The previous Minutes of the Annual Meeting were summarized and approved as distributed.

The Chairman reported that a contract with the University of Utah Research Center had been entered into for determination of irrigated acreage as of January 1, 1976.

The report of Bert Page for the Secretary-Treasurer showed that the states had each paid an assessment of \$23,000 for 1981 fiscal year. Cash balance as of September 30, 1981, after adjustment for USGS obligation, was about \$66,000.

Report of the Assistant Secretary showed that seriously deficient water supplies were expected in 1981. Discussion on water rights covered temporary and domestic permits. Ordinary domestic rights and stockwater will be considered per the wording in the Compact.

Six month summations will continue as in the past.

Woodruff Narrows Reservoir contract with Chevron was discussed in connection with compensating release for total depletion of water delivered to Chevron. For each second-foot delivered, one second-foot will be released for downstream users. We then discussed the Woodruff Narrows Reservoir operation of 1981 with respect to gate malfunction releases. Storage in the first half of June was not illegal under terms of Compact, as all rights in the river system were then being filled. Storage in the latter part of April and the first eight days in May was in violation of the Compact, as most downstream rights were not being filled. However, all available water below the reservoir was being diverted in Utah and Wyoming above Pixley Dam, and if the inflow had been routed through the reservoir as required it is unlikely, during this period, much flow would have passed Pixley Dam.*

The Upper Division above Pixley Dam is not obligated to regulate, under the Compact, for the benefit of the Central or Lower Divisions. State law, of course, governs as between Wyoming users above and below Pixley Dam.

We then went on to another subject, and by motion, the contract with me was approved for renewal on the same terms as last year.

Mr. Skeen agreed to draft language concerning the Assistant Secretary as defined in the bylaws.

Mr. Hansen reported for the State Engineers' Committee on the University study. Imagery was not of good quality, and delay will be likely beyond the December 31 date for completion. It was decided that the State Engineers would meet prior to our Annual Meeting and prepare for their recommendations to the Commission.

The meeting adjourned at 12:15 p.m.

CHAIRMAN JIBSON: *Now, to digress just a moment from what was actually in the Minutes - Don Rex and one or two others raised a question after our last meeting as to this storage. I'd like to say that what I mean by "It is unlikely that much flow would have passed Pixley" - for the period of April 15 to May 10 we had an average of 500 second-feet (510 to be exact) inflow that was stored. The inflow got up to 1,300 second-feet on May 3; but two days before that it was 850, and two days after that it was down to about 830. So that 1,300 was just a short duration flow.

Now Pixley Dam was closed tight on about April 24; and before that time there was only in the neighborhood of 10 or 12 second-feet passing the Pixley gaging station below the dam. So even though the canals in Utah and that section of Wyoming above Pixley - some of them were open - they were diverting a total of only about 100 second-feet, simply because

the water wasn't there. It wasn't there because it wasn't being released from the reservoir. So this 100 second-feet they were diverting was natural flow. What I'm saying is that other than the May 3 peak of inflow, some of which may have gone over the dam at Pixley, by-and-large the entire 500 second-feet which it averaged for that 3 to 4 week period, had it been released from the reservoir as it should have been, except for these few days, it would have been used in Utah and that section of Wyoming (above Pixley Dam).

Now, of course, some have questioned why water cannot be forced past Pixley Dam. Under the Compact there is no requirement for water to pass Pixley Dam for the use of downstream users. Of course, State law actually is recognized there, and there are Wyoming users above Pixley Dam and there are Wyoming users below. The State law says that on a priority system users above Pixley Dam can be regulated for the benefit of users below - that's their right; but the Compact does not require it. It's really three separate rivers as far as priority of rights is concerned - the Upper, Central, and Lower Divisions. I just wanted to give that word of explanation to you with respect to some of those things that we discussed last time.

Do we have any questions or comments on the Minutes as they were circulated? If not, I think a Motion would be in order to approve the Minutes for the December 7 meeting.

MR. DAYTON: I would so move.

CHAIRMAN JIBSON: It has been moved. Second?

MR. HOLMGREN: Second.

CHAIRMAN JIBSON: Second. All in favor? Opposed? Okay, the Minutes will be approved as circulated.

MOTION CARRIED.

REPORT OF CHAIRMAN

CHAIRMAN JIBSON: The next item is the Report of the Chairman. I might just say, as most of you know, in the report of the Chairman today, in compliance with the meeting in December, the State Engineers have met prior to this meeting to discuss the University of Utah contract. They

met this morning in Dee's office and not only discussed that with University people, but also discussed another matter that will be taken up later by the Committee on a proposed consumptive-use study in the basin.

Other than that, I'll confine any other statement I have to the Report of the Engineer, which will follow the Report of the Secretary-Treasurer. So next we'll go to the Report of the Secretary-Treasurer. I think Dan will give that himself this time.

REPORT OF SECRETARY-TREASURER

MR. LAWRENCE: I have some handout material - there's enough for everyone in the room - and then I also have another little handout that we need to be sure the Commissioners receive. Everyone should have a copy of the Statement of Expenditures, which is printed on two sides; and at least all of the Commissioners should have a copy of the budget.

On the page which I am looking at are shown cash balances first. We started with \$117,000 on October 1, which included reserves to pay \$51,480 to Geological Survey - which for some reason we got to them late, but that was in the previous year's budget. The bottom line is that we have, on the first of April, \$130,000. We received the assessments from all of the states. In addition, we have interest income of nearly \$6,000 from the money which we have in storage through the State Treasurer's office. According to the financial statement here, we spent \$2,940 more than was budgeted, and I want to take care of that in a moment.

If you want to turn over now to the other side of the page, you will see that our expenditure of \$135,420 includes the \$51,000 that I talked about. It includes the \$3,600 for our engineer, and \$7,800 to the University of Utah, plus several other items. I'd like to call your attention to the fact that - looking at your budget sheet now - a year ago we approved a budget which included \$11,000 in administrative allocation, for a total of \$118,200 (on the extreme right bottom line). The Minutes of the meeting note that you authorized a contract with the University of Utah for \$10,000 and we had not received billing; and had not paid Rose Printing for the amount that's shown, where we wrote a check of \$1,960 to Rose Printing.

In order to satisfy the Auditor requirements and our own book-keeping mechanisms I would like to Move that we amend the current budget to add \$10,000 for contractual services for land use studies; and that we add \$1,960 to Rose Printing for the biennial report, which was acutally printed in the 1981 year.

In the column where we have 'biennial report' - you want to put \$1,960 there. Then find a place for the \$10,000 for the U of U. Then our Treasurer's bond and audit amounts to \$105 more than the \$350 budget. I think it would be appropriate to add that, for an increase of \$12,110 (\$12,065 - see amended budget) in our official budget for the current year. All, I think, fully authorized - the \$1,960 by the previous year's budget which we underspent, and the \$10,000 by our April meeting. The only variance is the \$105 where the Treasurer's bond was over.

In looking at the payments to Mr. Jibson - I think this includes the last check - which puts that about a third of this amount, with half the time, expended. So I'm assuming that in the summer months there may be a little more activity. He assures me, and we have every confidence, that the budget will not go over - may go under; but I'm suggesting that we do not reduce any of those other items - merely add these two major large items plus that bond so that our budget, when we have the audit next fall, will be more compatible with our actual expenses.

CHAIRMAN JIBSON: Dan has made this in the form of a Motion. Is there a second to the Motion?

MR. MYERS: I'll second it.

CHAIRMAN JIBSON: Is there any other discussion on the proposal?

MR. CHRISTOPULOS: Just by way of clarification, where does that \$10,000 qo?

CHAIRMAN JIBSON: Just write it in, George, because it wasn't budgeted.

MR. LAWRENCE: Write it in as item 12 - I guess.

MR. CHRISTOPULOS: That's for the University of Utah?

MR. LAWRENCE: Yes. Now if you need support, Connie has the Minutes for the April 1981 meeting, where as a Commission we authorized it that day, but it was not included as a specific budget item. I don't want Bert to show a negative overrun on his accounting.

MR. CHRISTOPULOS: What's the total amount - \$12,000 what?

MR. LAWRENCE: \$110 extra. Now we could refine some of these others, but I don't think it appropriate.

CHAIRMAN JIBSON: Dan, I wonder if it would be appropriate if I make up a new one showing all the other totals - unless you want to do it now - and mail it to the Commissioners?

MR. LAWRENCE: That would be alright. All I'm asking is that we put \$1,960 on and that \$12,110 - would just add in those three items and get a total of \$110,718 (\$130,265 - see amended budget).

CHAIRMAN JIBSON: Any other discussion before we vote on that?

MR. REX: I make a Motion that you be authorized to revise this, with those changes.

CHAIRMAN JIBSON: Okay, then we'll revise this and send out a new one so that you've got it here.

MR. LAWRENCE: I'll withdraw my Motion, and Wes will too. How's that? CHAIRMAN JIBSON: Well, why don't we vote on this first Motion; we've had a second to it. All in favor of the Secretary-Treasurer's Motion to correct the 1982 budget, that's the current-year budget, signify by 'aye'. Any opposed? Okay, the Motion is carried.

MOTION CARRIED.

CHAIRMAN JIBSON: Now, let's entertain your Motion, Don.

MR. REX: I'll make the Motion that the Chairman be authorized to revise this budget and circulate it.

CHAIRMAN JIBSON: Okay, is there a second to that Motion?

MR. GILBERT: I second it.

CHAIRMAN JIBSON: Don Gilbert has seconded it. All in favor say 'aye'. Opposed if any?

MOTION CARRIED.

MR. LAWRENCE: I think that's the end of the Secretary's report unless there are questions.

CHAIRMAN JIBSON: Let's see. George has mentioned a possible mistake here in our arithmetic. \$105 added to the \$350 makes that \$455, right? And \$1,960 to Rose Printing and \$10,000 - I believe I added that \$1,950, Dan, and if I did it's \$10 off.

MR. LAWRENCE: I rounded that out; actually we paid the University of Utah \$10,006.58.

CHAIRMAN JIBSON: Just a correction in arithmetic there. Instead of \$12,110, I think it should be \$12,115 (\$12,065). Thank you, George.

Do we have any other questions or comments on the report of the Secretary-Treasurer? If not, a Motion would be in order to approve his report.

MR. CHRISTOPULOS: So move.

CHAIRMAN JIBSON: It has been moved by George. Second?

MR. GILBERT: I'll second it.

CHAIRMAN JIBSON: All in favor? Opposed?

MOTION CARRIED.

MR. LAWRENCE: The only comment that I might suggest, if we could just ask Wally to do it - it seems to me that Item number I ought to be broken out. Isn't Item I part of the Geological Survey contract?

CHAIRMAN JIBSON: The \$56,000 is; the \$9,200 actually covers my personal service.

MR. LAWRENCE: I was wondering if you wanted to make a 'Ia' and a 'Ib' out of that and show clearly how much is yours and how much is Geological Survey's?

CHAIRMAN JIBSON: We could do that. That would possibly be a little clearer. Incidentally, on the contract that we've had the last couple of years between the Commission and myself, there are, basically, four items: 'Personal Service'; 'Travel and Subsistence'; 'Supplies, Computers, etc.', which for the most part is postage that I get directly from the Commission fund; and No. 10, 'Printing and Reproduction', \$300.

Connie raised the question before the meeting about the fact that there is some printing cost in connection with the Minutes and other work that she has been doing. You probably will have noticed that Connie is doing a lot of the work that we used to do out of Logan - sending out the Minutes and so forth - and we appreciate the fact that there is a cost for reproducing those Minutes. But, this \$300 would cover that, plus miscellaneous xerox work that I have to do in Logan.

REPORT OF THE ENGINEER

CHAIRMAN JIBSON: The next item listed on the agenda is the Report of the Engineer. For 25 years, at least, that's been the 'Report of the Assistant Secretary'. Mr. Skeen has given us some new wording, that we'll discuss later, for the bylaws. So let's distribute these reports.

We'll read through this report in its entirety, and then if you have any discussion on individual items we'll discuss them afterwards.

This is our usual report for the Annual Meeting on the 1982 Expected Water Supply and Compact Operation.

- 1. There was a section, I believe, in the Upper Basin that was just about average.
- 2. Which is a gaging station a short distance above the inlet canal to Bear Lake.
- 3. I might just mention, too, in connection with some of the questions you raised last December, Don you'll notice on Smiths Fork, which provides most of the water for the Central Division, for that section of Wyoming and the section of Idaho above Bear Lake, that our 15-year average is 120,000 acre-feet for the period April through September; and in 1981 we had just exactly half that 60,300. This year we're expecting 147,000, which makes a much different picture.
 - 4. This is going back for a number of years now.
- 5. We get two extremely contrasting years as you'll notice on that hydrograph on page 5; if we don't get fooled between now and July, which Jay tells me we won't.

- 6. And this is the budget that Dan handed around to modify.
- 7. Our District Chief for the USGS.
- 8. Again, I have not included in the budget any projected cost for acreage work or consumptive-use work that we'll discuss later in the meeting simply because I had no idea what to include there we'll just have to add it as another item as we did this year.
- 9. I don't think Ed particularly wanted to raise that amount from what he'd been using for the last 39 years, but he is now a member of a very prestigious law firm here in Salt Lake and we congratulate him on that so we did give him a nominal raise on his retainer fee after consulting with him this year. I'm sure that many of the other years that proved to be a pretty small amount for what he has done.
- 10. This budget will come every-other-year now, since we've switched to a biennial report from an annual report.
- 11. I'm being polite when I say "next door to Sears". It's actually next door to the Cactus Club, and already we've had one of the go-go girls come in Bruce's office by mistake, with her little bag, getting ready for a floor show ~ it was a pretty small bag!
- 12. And we would have had to change anyway, because the GS office moved at this time. So, with your concurrence, I think this new address would be better utilized than the GS office.
- 13. I assume, Wes, that that's our site up at Deer Creek.
- 14. Which Ken informs me were actually claims of stockwater that is now in use. Now, I don't know if that record should be maintained in the Commission files, or just the State Engineer's records would suffice maybe I interpret the Compact incorrectly anyway.
- 15. Maybe this is true, and maybe it isn't. At least the ones we got this time were on a 12-month basis.
- MR. DUNN: Wally, if I can interrupt you we'll change that.

CHAIRMAN JIBSON: Is it just as easy, or practically so?

MR. DUNN: And I'll exclude the domestic and stockwatering.

CHAIRMAN JIBSON: Well, if you want to do that. Wyoming is excluding theirs; Mike, you're excluding yours now; so if it isn't any big deal it will make it a little easier. I don't know that my interpretation of the Compact is any big deal either; - but I was sort of wishing that in Article VI, in connection with stockwater and domestic filings, that we had referred back to the Article V allocations as well as the Article VI allocations.

Do we have any further discussion, then, on my report? If not, I suppose a Motion would be in order to receive it, at least - I don't know as it requires formal approval like the Secretary-Treasurer's report.

MR. GILBERT: I so move.

CHAIRMAN JIBSON: Don has moved. Do we have a second?

MR. LAWRENCE: Second.

CHAIRMAN JIBSON: All in favor say 'aye'. Opposed?

MOTION CARRIED.

ELECTION OF OFFICERS

CHAIRMAN JIBSON: The next item on the agenda is the Election of Officers. I'll back up a few years to show you which people in which states have been represented.

Let me say that the bylaws require that the Vice-Chairman of the Commission and the Secretary-Treasurer be elected each year. It's been customary in the Vice-Chairman's case, even though we elect each year, to elect the same man for two years running. In 1973 and 1974, J. W. Myers (Wyoming) was our Vice-Chairman. In 1975-'77 Paul Holmgren (Utah) somehow or other got a three-year term out of that - we forgot to elect one year; in 1978 and '79, Cliff Skinner (Idaho); 1980 and '81, George Christopulos (Wyoming). So if we follow the order by states, it would again be Utah's turn to nominate a Vice-Chairman for the Commission. Nominations are in order, then.

MR. LAWRENCE: George has been elected twice already?

CHAIRMAN JIBSON: Yes; '80 and '81.

MR. HOLMGREN: I nominate Sim Weston.

CHAIRMAN JIBSON: Sim Weston has been nominated. Second?

MR. MYERS: Second.

CHAIRMAN JIBSON: Seconded. All in favor of Sim Weston as Vice-Chairman for the 1982 fiscal year say 'aye'. Any opposed?

MOTION CARRIED.

CHAIRMAN JIBSON: Nominations would be in order for a Secretary, and Treasurer. Now the bylaws also say that the same individual can serve as Secretary and Treasurer, and I think the bylaws specify also that he must be a member of the Commission. As you know, Dan Lawrence has been serving in that position for many many years.

MR. CHRISTOPULOS: I'll nominate Dan Lawrence.

MR. GILBERT: I'll second.

CHAIRMAN JIBSON: Dan Lawrence has been nominated; seconded. All in favor of Dan Lawrence for Secretary-Treasurer? Opposed?

MOTION CARRIED.

CHAIRMAN JIBSON: Sim and Dan, then, will serve in those capacities for the balance of this year, and an election will take place again next April.

REPORT OF COMMITTEES

CHAIRMAN JIBSON: Next on the agenda will be a Report of the Committees; and I believe the only committee that will have a report today will be the State Engineers' Committee. We'll ask Dee if he will give us a report on his group's action.

MR. HANSEN: Thank you, Mr. Chairman. It's a pleasure to appear before you.

If you've had a chance to examine those maps, they're fairly interesting. They raised a number of questions for the engineers, as we met, as to how much accuracy we could put into the interpretation of total acreages. I have some reports here - I believe that I gave each state three, didn't I already? Let me give two more to each state, and you distribute them however you like. I had that many left over.

That study is now complete. It defines, as you'll find in the report - and I won't cover that in a great amount of detail - they had some difficulty getting imagery that was clear; they had some fuzziness, they had some clouds at one time and didn't get coverage. So in part of the Upper Bear section they got only August imagery, which has left something to be desired in that area. Everything is bright red (bright red indicates irrigated area or at least wet areas, where you have a high amount of vegetation). So, as you get in the high mountain meadow area around Henry Flat and up in the Uintas you'll find, as you look at the imagery, that a good deal of the area is red. It's hard to distinguish the meadows from the surrounding area. That may have been more evident if we could have gotten a July picture, but they weren't able to do that. One thing I thought I had conveyed to Dr. Merrill Ridd was that they could move to '75 or '76 or '77 and use other years if they had difficulty getting clear pictures. He apparently didn't understand that and he was trying to stick within the '75 period so that he could report acreage as of January 1, 1976, which is called for in the Compact.

As you read the report you'll find that they marked off the area into townships, gridded the acreage, and came up with total acreages within areas. They then picked spots out, went to the SCS for verification, and sampled 2% of the area. We decided, in talking with them, that there would have been a better way to sample, but that's the way they used; and they came up in the Upper Wyoming section with an error as high as 36%, which is too high. We don't know exactly what that represents - whether it represents some wetlands that weren't distinguishable, or what. We don't even, at this point, understand really how important it is, because this does give us a base; and if there's an enlargement of the acreage it probably would be on the outer edges which they were able to define, not within the interior where you might have wetlands, or brush, or jointgrass, or something.

I think each of the states wants to take some time and do some checking of its own. Ken (Dunn) said he especially wanted to check Utah, and we welcome him there as long as he brings his wallet so he can buy lunch; otherwise, Ken, you get shot when you cross the border! But we intend to check that out a little bit. I think the report has more value, perhaps, than it cost us because it does give us some base acreages. But I think in order to feel comfortable, we would like to go into a little more detail in checking it out. We thought that perhaps had we spot-checked whole townships we would have gotten a better picture. The University of Utah agreed that probably would have been a better way to do it. When they came up with the thought they didn't know exactly how to do a verification check; we'll be doing some of that.

Do you have any questions on that? I won't go into any more detail.

CHAIRMAN JIBSON: I take it that you're not making a definite recommendation for the action of the Commission?

MR. HANSEN: No, I'm not saying that you need to accept, or deny. The report is complete; they've submitted it to us; they'd be happy to work with us on additional data if we want it. But as far as the University of Utah is concerned, this report is complete. We're not ready to say that we whole-heartedly endorse it, because of that 36% error.

JOHN TEICHERT: If you have differences and you have arguments with certain areas, how do you get that included in this survey?

CHAIRMAN JIBSON: This is one of the things that they're going to have to discuss in the committee, and come back with it.

MR. HANSEN: Yes, you just have to review it, John, and then we'll have to discuss it at another meeting. If you have differences of opinion with what's reported in here then we'll review it.

MR. DUNN: I just wanted to comment that, as far as the technology and the way they used the imagery - the use of it was trying to lay a grid over the top of that and count squares, and that works well when you have a true photograph because you have all the features; but everybody has to remember that when you use satellite imagery it's created just like a television picture is created - by a scanning - and so you don't have that definite, defined line - and there is an extreme amount of

difficulty in picking up the area of natural lands as opposed to the irrigated lands. That's why I want to take this back to my staff and have them review this information; so that we're certain that if we decide to recommend to the Commission to accept it as a base, that we can say 'Yes, we can live with it'.

MR. HOLMGREN: Is there any chance that they're going to improve on this 36% error problem you have? If not, it doesn't seem to me like it's worth pursuing.

MR. HANSEN: Well, we're not going to pursue it; the study is done. Unless we come back to you with another proposal and some justification for that, we wouldn't plan to take this any further. You have to keep in mind that even though they show a 36% possible error, we're not certain it's there.

CHAIRMAN JIBSON: And this is only one little verification area. They pointed it out to us this morning that most of them were 7-8%; didn't they, Dee?

MR. HANSEN: Yes, and we thought if they were within 5, 6, 7% here that would be okay; but 36%, of course, is way too high. Had they verified other than 2% we think that maybe it would have been better. I don't know; we may find it worse. But we want to check that.

MR. HOLMGREN: With the error that you now are experiencing, it wouldn't be worth Idaho checking on Utah, or vice versa.

MR. HANSEN: The error indicated in most of the areas was much less; .4% error in some of the areas, and I think the next high was 19%, wasn't it? But they're in small areas.

MR. TURNIPSEED: The area that had the 36% error was also the smallest area - an error where they only had four test sites. The larger areas - Cache County, Box Elder County - the error was less than 1%.

MR. HANSEN: Yes; and they mentioned that. It was harder for them in the smaller areas. In the area that they had 36% error there was only 330 acres, and SCS reported 242. Now, it's possible that SCS would not include wetlands in its figures, and maybe the imagery did pick up wetlands. So we don't really know, but - 36% - they used to say "36% of nothing is nothing".

MR. DUNN: I think one thing to keep in mind is that when we talk about error we're not really sure that's an error - it's a difference in what SCS reports; but nobody knows whether the SCS is the correct one or not.

MR. HANSEN: We just don't know.

MR. DUNN: This could be the actual number; but we've been using SCS, and so really - I don't think it should be called an error; I think it should be called a 'difference' from the SCS measurement. That's something we've accepted as right, but it may not be.

CHAIRMAN JIBSON: We did notice that, I believe in every instance, every University of Utah study was on the high side over the SCS - indicating that they were classifying some of the wetland that the SCS would not classify as irrigated.

MR. HANSEN: We're not sure; and I appreciate that, Ken, because it really isn't error, it's a difference; and we don't know exactly why there's that difference there. Any other questions on that?

There was going to be an attempt to use U-2 photography photoflash, which would have given us much better resolution; but they weren't able to get those, because they had cloud cover.

CHAIRMAN JIBSON: I have one other comment, Dee. We don't know at just what intervals the Commission will want to check on these items; however, it's been pointed out that there is a new satellite scheduled for Spring or Summer which will have much more powerful resolution than anything that's in the air today. So, if the Commission chose not to do anything until such time as this new imagery might become available - 1983 or whatever - that determination, at least, would be much more accurate than one today.

MR. HANSEN: Keep in mind that there's been a satellite go up in the interim since these were done. We went back and picked up old imagery. They have Number 2 which has better resolution than Number 1 has; and Number 3, or whatever number it is - they're getting better all the time.

CHAIRMAN JIBSON: I questioned Dr. Ridd for just a minute, after you left this morning, on whether or not - say they had used 1981 imagery instead of 1975 - if the quality would have been better. You point out that it

probably is better. We could have cloud cover, of course, in 1981 the same as we did in 1975; but they didn't think the improvement in quality would have been as much greater as it will be with this new satellite, and that the resolution will be much greater.

MR. HANSEN: And I think in steps of sequence: Number 1, we have to decide if we feel this is a good base-data report to use to base all future development on; and Number 2, we need to determine how often we need to run those. Maybe every ten years is an accurate time to do it; maybe in 1986 we'd come back and say we really ought to do this again as a comparative measure. But first we've got to decide that we want the Commission to accept this as the base, and we'll be doing that.

MR. DUNN: I think we need to keep this in perspective now. We don't want to go into a process where we define the new use of irrigated land in the nearest acre, and we count water to the nearest 100 acre-feet. I think we have to keep everything in perspective so we don't redefine one item, and then we're not able to manage the rest of it because we don't have that control. That's why I think we need to take a special look at it and see how it compares in accuracy with the other criteria we have to make.

CHAIRMAN JIBSON: Would either of you suggest that we accept this as a base report? Would either of you suggest that we, on our own or with someone's help - SCS, ASCS, whoever - try to do some more verification on this report as it's been given to us?

MR. HANSEN: We could do that. Keep in mind this is the report; you have it. For whatever value it is, you have it.

CHAIRMAN JIBSON: I say either of you; I meant George included.

MR. HANSEN: I don't think you can say that you don't have that. It's already before us; we don't have anything any better. All we'll try to do is refine this and get something. I guess this is the beginning of our base report.

MR. CHRISTOPULOS: I think what Dee is saying is that we need to study this and see where we go beyond this; or how we're going to either use this, or how we grapple with the idea of getting a base acreage figure for January 1, 1976.

MR. HANSEN: They may determine that this is no good; but you're still back, then, to determining how do we establish base acreage. This will have some value, no matter how we go.

CHAIRMAN JIBSON: Most of our contract has been paid off as of now, I believe; isn't it Dan?

MR. LAWRENCE: I think they've performed the work; I think that's what Dee's trying to tell you.

CHAIRMAN JIBSON: Well, what I'm getting at - do you want a Motion at this time to accept this report as a base-data report?

MR. HANSEN: No, I don't think so. Just accept it or don't accept it. Receive it; that's all I want you to do. You've received the report; pay them off; and then we decide from there.

CHAIRMAN JIBSON: I don't know as that would require a Motion.

MR. HANSEN: The other thing that report is, we have had a proposal - let me back up just a little bit. In the Compact there are a number of areas where it says "a Commission-approved procedure" would be established, mostly as it pertains to consumptive use, or depletions, from the individual part of the Basin.

We had a proposal from the three states - really the state universities. University of Idaho, University of Wyoming, and Utah State University had gotten together through their research departments and put together a proposal to do a study in the Bear River Basin to define consumptive use.

Now keep in mind there have really been no studies in high-mountain meadow-type situations. Most of the consumptive use and depletion studies for crops have been in the lower elevations. So we don't have a lot of information to base how we determine what's being depleted by these filings that are coming in; and, as you know, the new Compact requires that it be based on depletion. We have to come up with some solutions. I don't suspect that it's terribly important that we do it today, or tomorrow, or next year even; but it's something that some day, as the water starts getting short, we're going to want to verify those acreages and the depletions to see that we're protecting our Utah water right holders.

So, we've had a proposal by those three people - Dr. Charles E. Brockway, University of Idaho; Dr. Robert D. Burman, University of Wyoming; and Dr. Robert Hill, Utah State University - and they proposed a study that would have amounted to about \$46,000 a year for five years. We met, and discussed that in some small detail, and concurred that it's something that we probably need. We'd like to see that go ahead; but we weren't sure that we had the funding - in fact, Idaho indicated they did not have the funding, either in this current fiscal year or in FY '83.

So, a proposal for your consideration - well I'll give you two alternatives, I guess, for your consideration. One, is that we postpone starting any type of a study of this nature until July 1, 1983. At that time, then, Idaho and Utah and Wyoming could have gone to their legislatures in their current budgeting process and asked for the additional funds that it would take for this study. The second alternative would be for the Commission to use its surplus funds, start the study this July, carry it through the year from surplus funds, let the three states go to their legislatures, and attempt to budget the monies for future years - plus some surplus that could be put back into the Commission funds to re-build those surpluses. I'll let you make that decision - in your wisdom what you think is best. I guess a third alternative is that we not do it at all, and wait and see how we could come up with some sort of study.

The reason we're concerned about each state going off on its own is, that may not be acceptable to the other states. If we were able to come up with money in Utah and went ahead and did some studies on depletion, Ken may have some concern about that. We would rather it be a neutral study, having the credibility of all three universities working together, and then come up with a report that's, we hope, in no way biased toward one state or the other. So I guess we would prefer either Alternative 1 or 2; but would leave that to the discretion of the members.

MR. DUNN: You might mention, Dee, that the universities also would be putting some money into this, as they will be funding their staffs, etc.

MR. HANSEN: Thank you; I appreciate that. In the proposal they give us mileage at $10 \, \text{¢}$ a mile. We kind of laughed about that when we read it and said we wish that they'd lease us their trucks at $10 \, \text{¢}$ a mile. They

indicated that they had some agreement from the university that they would provide the vehicle and all we're doing is paying for gas. They're also willing to provide the three principals' salaries to the extent that they're involved. The money that would come from the Commission, or the states through the Commission and into this study, would be used for funding a graduate student in each of the three states, plus travel expenses. That's what the money would be - plus buying some equipment. They would propose putting a number of weather stations in the area; they would be using neutron probes - which have to be licensed, by-the-way, - and two of the universities, I know, are licensed. That's what it involves. Ken, or George, do you want to add anything?

MR. LAWRENCE: I just have one question - That would be taking a procedure similar to the development of the Blaney-Criddle method and adapting it more specifically to the Bear River Basin?

MR. HANSEN: They would be evaluating, I guess, several of the different methods of determining depletion to see if actual field data would fit that method. That's the theoretical method, based on some data that you have. They would be verifying that formula; whatever it was. It may be a new hybrid, and not be any of those. Because we don't have a whole lot of research that's been done in that area of consumptive use studies.

CHAIRMAN JIBSON: Dee, would you just repeat once more - you say right now, basically, you have two alternatives.

MR. HANSEN: We're preparing our budgets right now for FY '84, which starts July 1, 1983. So if we want to wait until a year from this coming July, then the money would already be in our budgets, providing we got it through the legislatures – assuming we could. I guess we don't particularly want it to wait; and so I give you the other option of using Commission surplus funds to fund the first year, and then attempt to build back some of that surplus by over-appropriating. Instead of appropriating \$15,000, maybe get \$20,000 or something. Then we could start this July 1 - if you elected to do that.

MR. LAWRENCE: If I'm hearing the Engineering Committee correctly some of the advantages might be that we have three principals, already named, on board - organized and ready to go at prices which, in the last decade at least - we've had an increase in cost index, so possibly the cost would be less if we start now. The other thing is that we're getting started a year ahead of the second year. It seems to me that if we divide this amount that you've mentioned by three, the legislatures would be able to agree to fund that if it's presented on the basis of protecting interstate water rights for each state. So it seems to me that there's quite a bit of advantage to borrowing from our 'surplus', if you want to call it that, and use it for a useful purpose now, rather than wait.

CHAIRMAN JIBSON: In connection with that, George just asked the question - how much surplus do we have as of now? - and I haven't had a chance to study our report yet, but I'm guessing in the neighborhood of \$50,000. It is partly interest. Plus the fact that we've underspent our budget, surprisingly enough, in most years.

MR. REX: Mr. Chairman, did Dan propose that as a Motion?

MR. LAWRENCE: Well, I guess I wasn't quite ready, but I would. Maybe we could get it on the table. I move that we accept what I have understood as an Engineers' Committee recommendation, that we need a study of this nature and that this study would be acceptable in the minds of the Engineering Committee, and therefore we should authorize the study and spend this year's surplus, with the understanding that we would go to our legislatures and seek appropriations to cover it for the future years, and some addition, maybe, to build the surplus back to where it's a safe balance. I don't know if we want to build it back to \$50,000; or half that.

MR. REX: I'll second that Motion.

CHAIRMAN JIBSON: The Motion has been made and seconded, and we'll have discussion on the Motion.

MR. MYERS: I didn't really understand how important - evidently these three students are the biggest expense we would have, and if they are. . .

MR. HANSEN: They are important - because they would be out reading the weather stations and weekly taking neutron probe readings of soil moisture. So it's tremendously important.

MR. MYERS: In other words, it probably wouldn't fly without them.

MR. HANSEN: No. That's the whole basis of the study. Another thing I might add is that I think all three of the principals are well respected within their states. I think that's an important thing to keep in mind.

MR. CHRISTOPULOS: Well the idea would be that we would fund this first year from the Commission's funds, and then seek funds or put in additional funds after this first year from our legislatures to fund the second year of the study and the third, perhaps; and also have additional funds to try to build some of that surplus back up - is basically what you're saying.

CHAIRMAN JIBSON: I don't know whether I'm reading our cash balance correctly or not, but the report that we received from the Secretary-Treasurer showed roughly \$130,000 as of March 31. Obligated against that would be the current year's budget for the Geological Survey of \$53,600; and I don't know what other large obligations we have against that.

MR. LAWRENCE: We had \$67,000 to begin with, and our budget was approximately equal to our assessment. So theoretically we ought to carry the surplus through next year at about the same - isn't that true? We had \$67,000 to begin with - so we don't have enough in surplus to carry us, really, any more than one year. But we could actually vote, it seems to me, to pay for this first year out of surplus and then just take our chances on being budgeted for the following year and still have a cushion of maybe \$20,000 surplus instead of \$50,000 or \$60,000. But we need to get that much detail into this Motion. I'm not sure we are prepared to fine-tune it much more than we have.

CHAIRMAN JIBSON: I don't know that we need to detail the Motion, Dan. I was just trying to get a ballpark figure now. With the surplus that we show here, our unexpended cash balance - and I mentioned the GS obligation would be in it - apparently we have paid the University of Utah \$7,800 on their contract, so all our obligation in that would be another \$2,200. I believe those would be the major obligations against the cash balance that we now have. As you say, we would have enough to carry one year, but not enough to carry two years.

Do we have any other discussion on Dan's Motion, that has been seconded? All who could approve the Motion say 'aye'. Opposed if any?

MOTION CARRIED.

MR. HANSEN: You want us, then, to work toward reaching the contract agreement? George, and Ken, I guess.

CHAIRMAN JIBSON: To start probably this summer.

MR. HANSEN: Yes, July 1.

CHAIRMAN JIBSON: That's your understanding George; Ken?

MR. LAWRENCE: Now let's assume that the Motion included authorizing the Engineering Committee to take the responsibility of negotiating that and arranging it.

CHAIRMAN JIBSON: I think it would be in order that the 1983 budget estimate that I presented in my report should have action on it. I would suggest that since our meeting comes on the fourth Monday in November, which is a couple of months beyond my contract date expiration - I contract from October 1 to October 1, and last year we didn't actually execute a new contract until the December meeting - I would suggest that if you approve the 1983 budget as presented, you include in that approval of another contract, on the same basis, with me as of October 1, 1982. And, of course, my limits are in the 1983 budget as presented.

MR. CHRISTOPULOS: Before we get into that could we maybe, for the Minutes, get some understanding? Dee, before you leave. If I understood correctly, what we're going to do here then is - the Commission will fund this first year, but then the three states will seek funding to fund the second year.

MR. HANSEN: You'll be asking your legislatures for an additional \$20,000, or something.

MR. CHRISTOPULOS: Well that's what I think I wanted to kind of get straight. The second year is \$12,000 or thereabouts.

MR. HANSEN: But you were going to add on some.

MR. CHRISTOPULOS: Yes, but I think that we ought to have some understanding of what that is. I would imagine that it will exceed the \$12,000 because it says, "\$36,000 plus inflation". Anyway, what are we thinking about by way of trying to get reimbursed to that surplus account? \$3,000 to \$4,000 apiece a year - or what are we thinking about? What should we be thinking about?

MR. HANSEN: I think maybe you ought to have \$5,000, or whatever you think it's going to be, and then try to build back the surplus a little bit. It's served us well this time.

CHAIRMAN JIBSON: May I say, Dee, that I told the engineers this morning that they had paid \$23,000 per state in 1981. I note in the Financial Report that for 1982 the assessment was \$24,000. Now, in the 1983 and 1984 projected budgets, \$24,000 per state per year would actually cover the routine Commission budget without this. So if you wanted to use that as a starting point - assuming that you approve the budget that I've presented - if you wanted to use that as a starting point, whether to add to that \$24,000 per year to replenish. . .

MR. HANSEN: Why don't we try for \$20,000 additional; then we'd all be going after the same figures? Then we would cover the contract and let the rest go into surplus. In other words, \$24,000 plus \$20,000 - it would be \$44,000.

CHAIRMAN JIBSON: To cover future contracts?

MR. HANSEN: Yes.

CHAIRMAN JIBSON: And the excess would go into surplus. That's a matter for the engineers. I don't believe that we need a Motion on that as far as the Commission is concerned.

MR. CHRISTOPULOS: I just wanted to have an understanding.

MR. HANSEN: We ought to all be going after the same figure.

CHAIRMAN JIBSON: We appreciate the work of this Committee. I sat in with them this morning, I guess as an exofficio member of a committee of the Bear River Commission. I know there's a lot of work to be done yet before we really know where we're going on this thing; but it has to be done. This is one of the problems that come when depletion is used in an interstate compact; I'm sure of that. Somehow or other we have to resolve the problems.

If we don't have any further discussion on that then a Motion would be in order to approve, or disapprove, the 1983 budget estimate that I presented - and include in that the contract with me.

MR. CHRISTOPULOS: I'll make a Motion that we approve the 1983 budget, including the contract with Mr. Jibson.

MR. WESTON: Second.

CHAIRMAN JIBSON: Any discussion on it further? Do we have a vote on it then? All in favor say 'aye'. Opposed?

MOTION CARRIED

UNFINISHED BUSINESS

CHAIRMAN JIBSON: The item under Unfinished Business, I think, the Resolution that was distributed with the Notice of Meeting prepared by our legal adviser, Mr. Skeen, should be discussed. Ed, could we ask you to do that?

MR. SKEEN: The present bylaws of the Bear River Commission were prepared, as I recall, soon after the original Compact was approved in 1958. At that time I think of all of us present there are only three in attendance today - Reed Dayton, Wally, and myself.

When these bylaws were drafted, as now, Wally was very important in the functions of the Bear River Commission. He was Assistant Secretary, and because of his importance the Assistant Secretary was named as an officer of the Commission. Well, after the Chairman passed away and Wally became Chairman some few years back, Wally had two jobs - Chairman, and also Assistant Secretary; of which I'm sure the Assistant Secretary job was probably the most time-consuming and better-paid.

At the request of the Commission, I have suggested some amendments to eliminate the Assistant Secretary as an officer. I think Wally needs only one job. That would involve eliminating the name in Article II, Paragraph 1, leaving as officers the Chairman, Vice-Chairman, Secretary, and the Treasurer. Paragraph 4 of Article II deals with the Assistant Secretary, and I've suggested that be stricken. And in paragraph 6, I have suggested we re-word it by putting in "The Commission may employ an Assistant Secretary and such engineering, legal, clerical, and other personnel as in its judgment may be necessary".

Now with those changes there are some other necessary changes in other places in the bylaws. In Article IV, Paragraph 4, the Assistant Secretary is mentioned as giving the Notice, and that should be amended to put that duty on the Secretary. In Article V, Paragraph 4, "the Chairman and the Assistant Secretary shall be ex-officio members of the committees". I've suggested striking "Assistant Secretary"; so the Chairman will be the only ex-officio member. Then elsewhere, in Paragraph 7 of Article V and in Paragraph 7 of Article VI, the words "Assistant" should be stricken so that the duties of the Assistant Secretary as in the present bylaws would be taken over by the Secretary.

I think with those changes we should rewrite the bylaws after all these years. These have been in effect for something over 25 years, and I think with those changes Wally will have only one job and there won't be an Assistant Secretary - unless the Commission feels that it's necessary to employ one.

CHAIRMAN JIBSON: There's one other place I noticed, Ed. Under Miscellanous, Paragraph 1.

MR. SKEEN: Yes, under paragraph VIII, Miscellaneous, there's another place where it has "the Commission and its Assistant Secretary shall on request make available to the Governors of the states" . . . and so on. I'd strike "and its Assistant Secretary".

You can see the importance of the Assistant Secretary back in those days when the Commission and the Assistant Secretary had equal powers and authority on some of these things. I don't see any reason, personally, for continuing the present language regarding the Assistant Secretary, in view of the changes.

MR. CHRISTOPULOS: I'll make a Motion that we amend the bylaws along the lines that have been outlined by Mr. Skeen.

MR. GILBERT: I'll second.

CHAIRMAN JIBSON: Any other discussion on this? All in favor say 'aye'. Opposed?

MOTION CARRIED

CHAIRMAN JIBSON: We will make up some new bylaws.

Also - I've heard some adverse comments about the copies of the Amended Compact that we have. As we get older it is a little more difficult to read, even with bifocals, and some of our Amended Compact copies are really rather small print. At some future date, not too distant future, perhaps we should consider making up new copies of the Amended Compact with the bylaws attached, as we did with the initial Compact. I'll keep that in mind and we'll try to get that done.

NEW BUSINESS

CHAIRMAN JIBSON: Do we have any New Business to take up at this time? If not, I guess a Motion would be in order to adjourn.

MR. GILBERT: Moved.

MR. HOLMGREN: Second.

CHAIRMAN JIBSON: It has been moved and seconded. All in favor?

MOTION CARRIED

Meeting adjourned at 4:00 p.m.

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BEAR RIVER BUDGET FOR STREAM GAGING AND COMPACT ADMINISTRATION

Fiscal Year Ending September 30, 1982

April 20, 1981 April 29, 1982 (Amended)

Deta	il of Budget	Stream- gaging Allocation (Coopera- tive Agreement	Administrative Allocation (Direct Expenditure)	Total Budget
(1)	Personal Services (USGS)	\$ 56,000	\$ 0	\$ 56,000
(1a)	Personal Services (Engineer)	0	9,200	9,200
(2)	Travel & Subsistence (USGS)	10,000	0	10,000
(2b)	Travel & Subsistence (Engineer)	0	500	500
(3)	Fiscal & Administ. (USGS, SLC)	19,296	0	19,296
(4)	Washington Service Chge (USGS)	9,648	0	9,648
(5)	Rental Office-Storage, USGS)	See Item (3	3) .0	O
(6)	Digital Recorders (Rental, USGS)	1,620	0	1,620
(7)	Supplies, Computer, Publ., Misc.	10,636	350	10,986
(8)	Biennial Report (Commission)	0	1,960(1)	1,960
(9)	Treasurer Bond & Audit (Commission	on) 0	455	455
(10)	Printing and Reprod. (Commission)	0	300	300
(11)	Legal Retainer & Fees (Commission	n) 0	300	300
(12)	Contractual Service (Land-use	0	10,000	10,000
	Studies) TOTAL	\$107,200(2)	\$ 23,065	\$130,265
	Allocation of Budget			
	Geological Survey	\$ 53,600	\$ 0	\$ 53,600
	Bear River Commission	53,600	\$ 23,065	76,665(3)
	TOTAL	\$107,200(2)	\$ 23,065	\$130,265

^{(1) 1979-80} Biennial Report, Printed in 1981

^{(2) 32} gaging stations at \$3,350/station year
(3) \$25,555 per State

BEAR RIVER COMMISSION

DETAILS OF EXPENDITURES

FOR PERIOD ENDING MARCH 31, 1982

317 318 319 320 321 322 323 324 325 326 327 328 329 330		Wallace N. Jibson U.S.G.S. (FY81 Services, VOID University of Utah Sir Speedy Printing Wallace N. Jibson Postmaster Rose Printing University of Utah University of Utah Utah State Treasurer University of Utah Gilchrist & Co., CPA's Bank Charge University of Utah	, paid in FY82)	\$ 1,569.30 \$ 51,480.00 \$ \$ 1,639.88 \$ 28.00 \$ 2,075.35 \$ 40.00 \$ 1,960.00 \$ 1,229.07 \$ 1,093.10 \$ 70,000.00 \$ 3,742.44 \$ 455.00 \$ 6.00 \$ 102.09 \$135,420.23
	. 82.22		Less Savings Total Expense	70,000.00 \$ 65,420.23

BANK RECONCILIATION

March 31, 1982

Cash in Bank per Statement 04-01-82	\$ 377. 88
Less: Outstanding Checks	\$ 102.09
Total Cash in Bank	\$ 275.7 9
Plus: Savings Accounts - Utah State Treasurer	\$1 29 , 799 . 71
TOTAL CASH ON HAND AND IN THE BANK	\$ <u>130,075.50</u>

BEAR RIVER COMMISSION

STATEMENT OF INCOME AND EXPENDITURES

FOR THE PERIOD OF OCTOBER 1, 1981 TO MARCH 31, 1982

	Cash	Misc.	Approved	Total
<u>Income</u> <u>0</u>	n hand	Income	Budget	Revenue
State of Wyoming \$- State of Idaho \$- State of Utah \$-	17,551.88*	\$ \$ \$ \$	\$ \$ 24,000.00 \$ 24,000.00 \$ 24,000.00	\$117,551.88 \$ 24,000.00 \$ 24,000.00 \$ 24,000.00
Interest on Savings and other income \$-		\$ 5,943.85	\$	\$ 5,943.85
TOTAL INCOME TO March 31, 1982 \$1	17,551.88	\$ 5,943.85	\$ 72,000.00	\$195,495.73
*Includes \$51,480.00	from last yea	r. Payment was m	ade in this year.	
	DEDUCT	OPERATION EXPENSI	E	
EXPENDED THROUGH U.S.G.S		APPROVED BUDGET	UNEXPENDED BALANCE	TOTAL EXPENDITURES
Stream Gaging	SUBTOTAL	\$ 53,600.00 \$ 53,600.00	\$ 2,120.00 \$ 2,120.00	\$ 51,480.00 \$ 51,480.00
EXPENDED THROUGH COMMISSION	1			
Personal Services Travel Treasurer Bond and Audit Printing and Reproduction Legal Consultant Office Expenses and Supplie	⊵s SUBTOTAL	\$ 9,200.00 \$ 500.00 \$ 350.00 \$ 300.00 \$ 350.00 \$ 11,000.00	\$ 2,251.23CR \$ 500.00 \$ 105.00CR \$ 1,688.00CR \$ 300.00 \$ 304.00 \$ 2,940.23CR	\$ 11,451.23 \$ \$ 455.00 \$ 1,988.00 \$ \$ 46.00 \$ 13,940.23
TOTAL EXPENDITURES	+	\$ 64,600.00	\$ 820.23CR	\$ 65,420.23

UNEXPENDED CASH BALANCE AS OF 3-31-82

\$130,075.50

BEAR RIVER BUDGET FOR STREAM GAGING AND COMPACT ADMINISTRATION Fiscal year ending September 30, 1983

April 29, 1982

Det	ail of Budget	Stream- Gaging Allocation (Coopera- tive Agreement)	Allocation (Direct	ve Total Budget
(1)	Personal Services (USGS)	\$ 57,404	\$ 0	\$ 57,404
(la)	Personal Services (Engineer)	0	9,400	9,400
(2)	Travel & Subsistence (USGS)	14,000	. 0	14,000
(2a)	Travel & Subsistence (Engineer)	0	500	500
(3)	Fiscal & Adminst. (USGS, SLC)	20,736	0	20,736
(4)	Washington Service Chge (USGS)	10,368	0	10,368
(5)	Rental Office-Storage(USGS)	See item	(3) above	0
(6)	Digital Recorders (Rental, USGS)	1,692	0	1,692
(7)	Supplies, Computer, Publ, Misc	11,000	200	11,200
(8)	Biennial Report (Commission)	0	1,900	1,900
(9)	Treasurer Bond & Audit (Commission	n) 0	500	500
(10)	Printing & Reprod. (Commission)	0	100	100
(11)	Legal Retainer & Fees (Commission)	0	500	500
	TOTAL	\$115,200	\$ 13,100	\$ 128,300
	Allocation of Budget U.S. Geological Survey	\$ 57,600	\$ 0	\$ 57,600
•	Bear River Commission	\$ 57,600	\$ 13,100	\$ 70,700**
	TOTAL	\$115,200*	\$ 13,100	\$ 128,300

^{* 32} Gaging stations at \$3,600 per station year

^{** \$ 23,567} per State
Contractual Services (Consumptive-Use Studies) approved April 29,19 2
in total amount of \$45,120 as an addition to Commission Budget.

PROPOSED AMENDMENT TO ARTICLE 2 BY-LAWS OF BEAR RIVER COMMISSION

- 1. Eliminate words "Assistant Secretary".
- 2. Eliminate all of Paragraph 4.
- 3. Paragraph 5 then becomes Paragraph 4.
- 4. Amend Paragraph 6 (which would become Paragraph 5) to read; "The Commission may employ an assistant secretary and such engineering, legal, clerical and other personnel as, in its judgement, may be necessary."

Thus, Article 2 in its entirety will read as follows:

Article 2 OFFICERS

The officers of the Commission shall be:

Chairman, Vice-Chairman, Secretary, Treasurer

- 2. The Commissioner representing the United States of America shall be the Chairman of the Commission. The Chairman shall preside at meetings of the Commission. His duties shall be such as are usually imposed on such officers and such as may be assigned to him by these by-laws or by the Commission from time to time.
- 3. The Vice-Chairman and Secretary shall each be one of the Commissioners representing a State. They shall be elected at the annual meeting of the Commission and shall hold office until the next annual meeting and until their successor is elected. In the case of a vacancy in either office, the Commission shall at its next meeting, whether regular or special, elect a successor to serve for the unexpired term. The Vice-Chairman shall perform all the duties of the Chairman when the Chairman is unable for any reason to act, or when for any reason there is a vacancy in the office of Chairman. In addition, the Vice-Chairman and Secretary shall perform such other duties as may be assigned to them under these by-laws or by action of the Commission.

- 4. The Treasurer may or may not be a member of the Commission. He shall be elected at each annual meeting of the Commission and shall hold office until his successor is elected and shall have qualified. The Treasurer shall receive, hold and disburse all funds of the Commission. The Treasurer shall furnish a bond for the faithful performance of his duties in such amount as the Commission may direct. The cost of such bond shall be paid by the Commission. In the case of a vacancy in the office of Treasurer the Chairman shall appoint a new Treasurer to serve for the unexpired term or until such time as the Commission shall elect a successor at a regular or special meeting and the person so elected shall have qualified. The office of Secretary and Treasurer may be held by the same person.
- 5. The Commission may employ an assistant secretary and such engineering, legal, clerical and other personnel as, in its judgement, may be necessary. They shall receive such compensation and perform such duties as may be fixed by the Commission.

BEAR RIVER COMMISSION

880 River Hts. Blvd. LOGAN. UTAH 84321

April 29, 1982

Wallace N. Jibson

1982 Water Supply and Compact Operation

Water Supply Outlook

Runoff in recent years has alternated from seasons of moderate to serious deficiency followed by above-average years. Record-low supply in 1977 was followed by above-average supply in 1978, then a 75-percent year in 1979 was followed by an above-average 1980 (in most of the basin), O and a deficient 1981 is now being offset with promise of an excellent 1982 season.

Bear River basin forecasts range from 115 percent of average at Harer (above Bear Lake) to 145 percent at Woodruff Narrows Reservoir. The table below compares the forecast at key stations in the basin with the measured runoff in 1980 and 1981 and with the 15-year average runoff. Snow cover on April 1 is about the same as forecast runoff in the upper Bear but 136 percent of average on Logan River watershed with possibility of flood-stage peak flow. (3)

Streamflow in Acre-feet

April-July

*	Average 1963-77	Measured 1980	Measured 1981	Forecast	Forecast as Percent of Average
Upper Bear	114,000	109,400	100,400	139,000	122%
Smiths Fork	120,000*	133,400*	60,300*	147,000*	123%
Logan River	118,000	133,100	66,700	143,000	121%

^{*}April-September

Reservoirs

The alternating pattern of runoff during the past several years has enabled Bear Lake to bounce back each time from a season of heavy loss; thus, the Lake was below the "Irrigation Reserve" only for a few months in 1978. The hydrograph on page 5 illustrates this expected recovery in 1982 where the Lake last week was storing about a million acre-feet at elevation 5917.60

feet. Anticipated runoff is expected to bring the Lake to or near full stage. Snowmelt gain should be in marked contrast to that in 1981.

Woodruff Narrows Reservoir is storing all available supply and is within a foot or two of spilling. Other compact reservoirs have filled or will fill to capacity.

Budget and Stream Gaging

Program for the current year includes a stream-gaging budget for 32 gaging stations at \$3,350 per station year or a total of \$107,200 divided equally between the Commission and USGS. A direct-expenditure budget is \$11,000 which then totals \$64,600 for the Commission part.

Mr.Arnow is estimating the cost of stream gaging for 1983 at \$3,600 per station year (7.5% increase), so if we continue with 32 stations, the stream-gaging budget will be \$115,200. (See page 6 for budget detail.) It will be necessary to budget for printing the second biennial report in 1983, so by adding \$1,900 for this item and making some adjustment in other items, the direct-expenditure estimate will be raised from \$11,000 to \$13,100. Estimates for audit and legal retainer have been raised a small amount and items 7 and 10 have been reduced from the current year.

The overall budget then would be allocated \$57,600 to the USGS and \$70,700 to the Commission. Mr. Arnow is assuming in this offering that he will be granted the amount requested, but it is not firm. Each state's share of the Commission budget would be \$23,567.

If the States require at this time an estimate for the 1983-84 biennium, it would seem logical to increase stream gaging in 1984 by another 7.5% and, eliminating printing of the biennial report, estimate direct expenditure of \$11,500. The total for 1984 per state then becomes \$24,473, and this would round off to \$48,000 per state for the 1983-84 biennium plus any amount decided upon for implementing depletion determination in the Amended Compact.

Logan Office

The General Services Administration has required a change in office space for the Geological Survey in Logan, and a move was made on April 6th from the Ebeling Building, 22 East Center Street, to a building at 251 North Main Street (Next door to Sears).

We appreciate the Survey reserving space for the Commission to maintain its files, a desk, storage area, etc. You may recall that the Secretary of the Interior requested the Geological Survey to cover the necessary expenses of the Federal Representative. This is accomplished by means of a small amount set up each year by the GS to cover travel expenses only, primarily to Commission meetings. Rental, compensation, or other expenses are not provided for in this amount. This furnished space, where streamflow records are readily accessible, is important for some of our work on biennial reports and other permanent records of the Commission.

I have given some thought to the most feasible address and telephone facility for the Commission. Telephone communication on Federal Representative business is minimal and outgoing toll calls can be made using USGS facilities. However, I am suggesting that Commission calls should be to my home phone, (801) 752-6289. A Bear River Commission phone at our USGS office space would require an answering service attachment as most of my routine work for the Commission is done at home. Follow-up calls to my home would usually be necessary, and I feel the expense is not justified. Most incoming calls now come to my home.

I am suggesting also that the Logan mailing address for the Commission should be changed to my home at 880 River Heights Blvd., Logan, Utah 84321. Otherwise, I will have to call or check each day at the office for mail; also, home delivery on Saturdays is advantageous.

Applications for Appropriation

A summary of applications for the past six months is included as the last five pages of this report. Of interest is a hydropower filing by Logan City for 2,000 cfs for a possible rebuilding of the UP&L plant on Logan River. This plant was discontinued several years ago and the property sold to Logan City. A second filing in Utah is for storage of 9,500 acre-feet on West Fork of Bear River for use in Wyoming. (9)

Article VI-E which excludes domestic and stockwater from allocations evidently applies only to water stored and water appropriated above Bear Lake as allocated in Article VI. Article V allocation to Idaho and Utah mentions no such exclusions. Idaho submitted 66 stockwater applications, practically all on Forest Service land, that had been filed in the last 12 months. These surface-water filings aggregate less than two cfs and have not been tabulated with other Idaho filings. This is in conformance with consensus in recent meetings that all states exclude single-family domestic and stockwater filings from tabulations reported to the Commission.

Depletion from the filings mentioned in Idaho is minimal, to say the least, but if I interpret the Compact correctly, a record should be maintained whether summarized or not. Moreover, Utah is represented both in Article V allocations (all uses reportable?) and

in Article VI allocations (domestic and stockwater excluded). These comments are not meant to belabor earlier discussions on reporting, but are mentioned in part because Idaho evidently prefers to pull computer abstracts of all filings on a 12-month basis. Before tabulating, I have to exclude those reported six months previously plus the domestic and stockwater filings. I have no serious objection to this format if it is particularly advantageous for Idaho.

BEAR RIVER PROGRAM

DETAIL OF BUDGET

Fiscal Year Ending September 30, 1983

April 29, 1982

Deta	ail of Budget	Stream- gaging Allocation (Coopera- tive Agreement	n Administrative Allocation (Direct Expenditure	Total Budget
(1)	Personal Services	\$ 57,404	\$ 9,400	\$ 66,804
(2)	Travel & Subsistence	14,000	500	14,500
(3)	Fiscal & Administ. (SLC)	20,736	0	20,736
(4)	Washington (Reston) Service Chg.	10,368	0	10,368
(5)	Rental (Office and Storage)	See item	(3) 0	O
(6)	Digital Recorders (Rental)	1,692	. 0	1,692
(7)	Supplies, Computer, Publ., Misc.	11,000	200	11,200
(8)	Biennial Report	0	1,900	1,900
(9)	Treasurer's Bond & Audit	0	500	500
(10)	Printing and Reproduction	0	100	10(
(11)	Legal Retainer and Fees	0	500	500
	TOTAL	\$115,200	\$13,100	\$128,300
	Allocation of Budget			
	Geological Survey	\$ 57,600	\$ 0	\$ 57,600
	Bear River Commission	57,600	13,100	<u>\$ 70,70</u> **
	TOTAL	\$115,200*	\$13,100	\$128,300

^{*32} gaging stations at \$3,600/station year **\$23,567 per state

Presented to Commission: 4-29-82

	Applic.	Filing or Priority	Name	Source	Use	Location	Amount (cfs)	Act'n
			E OF WYOMING (Exclu	des ordinary dom	estic an	d stockwater)		
*	27515	2/25/82 2/26/82	Larry King O'thrust Chem Chevron Oil		Indust. Indust.	S16T21NR117 Linc. S21T15NR120 Uinta S11T19NR120 Linc.	0.56	App. App. App.
*	UW 58255	6/16/81	Rob't Burggraf Ronald Goldie W. B. Duff	Bear R. Ground Water Ground Water	Indust. Indust. Indust.	S21T15N\$120 Uinta S23T15NR120 Uinta S23T15NR120 Uinta	0.04	App. App. App.
* *	UW 58415	10/13/81	Champlin Petrol. Chevron & BLM Exxon & BLM	Ground Water Ground Water Ground Water	Indust. Indust. Indust.	S9T30NR119 Linc. S10T19NR120 Linc. S27T21NR118 Linc.	0.11	App. App. App.
*			Amoco Oil Fred Stahley Fred Stahley	Ground Water Ground Water Ground Water	Indust. Munic. Munic.	S7T13NR120 Uinta S32T15NR120 Uinta S32T15NR120 Uinta	0.45	App. App. App.
		1/21/81 10/26/81 10/19/81	Frac-Tanks Amoco Oil Amoco	Ground Water Ground Water Ground Water	Indust. Indust. Indust.	S24T16NR121 Uinta S2T14NR120 Uinta S35T13NR121 Uinta	1	App. App. App.
*	*		Chevron & BLM Chevron & BLM Teel Const.	Ground Water Ground Water Ground Water	Indust. Indust. Indust.	S18T18NR119 Uinta S6T15NR119 Uinta S19T16NR120 Uinta	0.07 0.26 0.06	App. App. App.
* *	UW 59129 UW 59210 UW 59211	1/6/82 10/28/81 11/16/81	Gulf Oil Amoco Chevron & BLM	Ground Water Ground Water Ground Water	Indust. Indust. Indust.	S12T16NR121 Uinta S2T14NR120 Uinta S31T19NR120 Linc.	0.11 0.33 0.08	App. App.
* *	UW 59212 UW 59214 UW 59215	12/18/81	Gulf Oil Amoco & Wyo. St. Amoco & Wyo. St.	Ground Water Ground Water Ground Water	Indust. Indust Indust.	S2T14NR120 Uinta S35T13NR121 Uinta S35T13NR121 Uinta	0.33	App. App.
*	UW 59216 UW 59308 UW 59698	12/28/81 1/11/82 1/8/82	Amoco & Wyo. St. Mobil Oil HS&D Services	Ground Water Ground Water Ground Water	Indust. Indust. Indust.	S35T13NR121 Uinta S3T21NR118 Linc. S1T14NR121 Uinta	1	App. App.
	1	1					ar Language of water and	ومراجع مترج والمتأوي

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•												s	1
	Act'n			App. App. App.	App. Pend. Pend	Pend Pend					 		
4/29/82	Amount (cfs)		•	1.00 0.06 0.56	0.14	0.02				• •	 		-
Presented to Commission:	Location			S8T12NR119 Uinta S17T15NR120 Uinta S21T17NR120 Uinta	S21T17NR120 Uinta S2T21NR119 Linc. S12T14NR120 Uinta	S23T15NR120 Uinta S29T15NR120 Uinta	٠	rotal	9.72 cfs 8.04 cfs	roundwater cancelle			Communication of the property of the control of the
Prese	Tea	020	·	Indust. Indust. Indust.	Indust. Indust. Indust.	Indust. Irr.Lawn		Pending	0 0.32 cfs	.52 cfs graphil 19			
			OMING (CONTINUED)	Ground Water Ground Water Ground Water	Ground Water Ground Water Ground Water	Ground Water Ground Water	rly extended	Approved	9.72 cfs 7.72 cfs	cancelled, and 34.52 cfs .ng, November 1981-April			About the second
		Name	M	A. Martin Const. Fluids Control		Rob't Leptik West Evnstn Dev.	*Temporary, unless properly		(Wyoming) (Wyoming)	0 dfs surface water gadjudicated in Wyomin			formular country. And the second seco
	Filing	Priority	the composition of the compositi	9/10/81 A 8/13/81 E		e-1	*Temp		Surface Water Ground Water	n, 5.7 were			
٠		Appute.	COMMON SERVICE COMMON	59699				المنافقة والمنافقة و	Total Suri Total Grov	In addition, No permits we			;

*

Presented to Commission: 4-29-82

Applic.	Filing or Priority	Name	Source	Use	Location		Amount (cfs)	Act'n
		TE OF IDAHO (Exclud	es ordinary dome	stic and	stockwater)			
13-7350 11-7260 11-7272	10/09/81 5/18/81	Delbert Keller	Drain Ground Water	Irrig. Irrig. Munic.	S31T13R41 I	B.L. B.L.	0.02	App. App. App.
11-7272 11-7275 13-7355	12/3/81	Byron Seely Soda Sp. School Gene Curtis		IrriDom. Heating Irrig.	S7T9R42	Carib. Carib. Fr.	0.50	App. Pend. Pend.
15-7081 11-7278 11-7283	1/13/82	J. E. Caldwell Paul Daines Kenneth Street	Ground Water Ground Water Ground Water	Irrig. Irrig. Irrig.	S31T13R45	Oneida B.L. B.L.	0.16 5.54 0.19	App Pend. Pend.
Claim Claim 15-7082	3/12/82	City of Grace City of Grace Carol Jones	McPherson Sp. McPherson Sp. Spring	Munic. Munic. Irr-Stk	Several	Carib. Carib. Oneida	2.00	Pend. Pend. Pend.
11-7280 22-7279 13-7351	2/24/82	Boy Scouts Boy Scouts Tony Guillen	Sp.tr.Fern C. Sp.Tr.North C. Sp.Tr.Sinks	Recrea. Recrea. Irrig.	S1T12R42	B.L. B.L. Fr.	49a.f. 49a.f. 0.08	, ,
13-7354 11-7273 13-7348		Steven Edwards Grant Morgan Arnold Beus	Sp.Tr.Sinks Sp.Tr.Sinks Sp.Tr.Bear R.	Irrig. Irrig. Fish	S4T13R43	Fr. B.L. Fr.	45a.f. 1.00 1.00	Pend. Pend. Pend.
Total Gro	face Water and Water rage, Idal	(Idaho)	Approved 0 0.34 cfs	Pending 5.18 cf 10.78 cf 143 ac.f	,			
Excluded	17.2 cfs	reported approved, and 400 a.f. repor	now licensed.	approved				

APPLICATIONS TO APPROPRIATE WATER BEAR RIVER DRAINAGE

STATE OF UTAH

Presented to Commission: April 16, 1982

			Presen	tea to Commis	Ston. April	10, 19		
AREA CODE	FILING OR PRIORITY	NAME	SOURCE	USE	LOCATION		AMOUNT (CFS)	ACTION
			STATE OF UTAH			out.		
•			STATE OF UTAN	į	,			
21-1446	7/29/81	Amoco Production Co.	UGW-Well	Industrial	Sec1T5NR7E	Summit	0.335	Pend
21-1455	3/19/82	Upper R/R & Mill Crk				1		
21-1455	3/13/02	Water Users Assoc.	W.F. Bear Ri.	Irrigation	Sec6T2NR10E	Summit	9500 Ac.Ft	Pend
		Hacer obes 5 11000						
23-3621	9/14/81	Denver Jones	UCW-Well	DSI	Sec17T10NR7E	Rich	0.5	Pend
23-3632	11/2/81	Morrell Weston & Sons	UCW-Well	Irrigation	Sec6T10NR7E	Rich	3.0	Pend
23-3640	2/23/82	Woodruff Town Corp.	UGW-Well	D/Munic.	Sec17T9NR7E	Rich	2.0	Pend
	2,,			,				
25-8338	10/20/81	Cove Water Works Co.	Lewiston O/F	D/I	Sec12T14NR1E	Cache	0.5	Pend
25-8340		Earl Glenn	UCW-Well	Irrigation	Sec14T10NR1W	Cache	3.0	Pend
25-8341	9/14/81	James Alton Veibell	UGW-Well	DSI	Sec23T12NR2W	Cache	0.667	Pend
25-8343	1	Allen M. Sorenson	UGW-Well	DI/Fish Cul	Sec29T13NR1E	Cache	1.0	Pend
25-8344		HaroldC. Heninger	UGW-Well	Recreation	Sec28T12NR1E	Cache	0.1	Pend
25-8345		Cecil LeFevre	Tile Drain	DI	Sec33T15NR1E	Cache	0.25	Pend
25-8348	11/18/80	Lynn James	Unnamed Tile					
			Drain	Irrigation			0.5	Pend
25-8349	1/20/82	Margaret Pace	UGW-Well	DSÏ	Sec34TllNR1E		0.1	Pend
25-8350	1/19/82	Don Bodrero	UGW-Well	DSI	Sec25T12NR2W		0.1	Pend
25-8353	2/8/82	Clarence & Marian Bohm	UGW-Well	SI	Sec2Tl1NR1W		0.1	Pend
25-8355	2/11/82	Margaret Pace	Unnamed Spr.	SI	Sec34T11NR1E		0.1	Pend
25-8357	2/26/82	Parson Ready-Mix Co.	UGW-Wells	(Sec14T14NR1E		0.5	Pend
25-8362	3/18/82	City of Logan	Logan River	Power	Sec35T12NR1E		87 CFS	Pend
25-8361	3/18/82	City of Logan	Logan River	Power	Sec35T12NR1E		18.3	Pend
25-8363	3/18/82	City of Logan	Logan River	Power	Sec35T12NR1E	Cache	2000 CFS	Pend
25-8365	3/22/82	Glen Larsen/Adrian H.						
		Geddes	High Creek	Irrigation	Sec14T14NR1E		3.0	Pend
25-8366		D. Brooks Roundy	Bear River	Irrigation	Sec4T12NR1W		6.0	Pend
25-8367	1	Earl Davidsavor	Unnamed Drain	j .	Sec5T10NR1E		0.1	Pend
25-8368	3/30/82	Bullen Farms	Bear River	Irrigation	Sec4,9T12NR1			
						Cache	3.0	Pend
\$								
	•	1						3
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APPLICATIONS TO APPROPRIATE WATER BEAR RIVER DRAINAGE

STATE OF UTAH

Presented to Commission: April 16, 1982

			11000;		ssion. April 10, 19		
AREA CODE	FILING OR PRIORITY	NAME	SOURCE	USE	LOCATION	AMOUNT (CFS)	ACTION
			STATE OF UTAH				
29/2722	1/7/82	Leo D. Cox	UGW-Well	SI	Sec19T13NR2W Box B	1.0	Pend
29-2766	9/28/81	Lazy "B" Land & Cattle	Hammond W/Sid		•		
	,,		Canal O/F	Irrigation	Sec31T11NR2W Box I	1.0	Pend
29-2769	11/2/81	Raymond N. Nelson	Unnamed Tile		•		
			Drain	SI	Sec17T10NR2W Box I	,	Pend
29-2770	11/10/81	James T. Patterson	Unnamed Spr	Mining	Sec4T11NR2W Box I	1	Pend
29-2771	11/20/81	Reese Quayle	Spring Area	SI	Sec3T8NR2W Box 1	L	Pend
29-2772	12/10/81	Keith H. Anderson	Salt Creek	Fish Cult.	Sec7TllNR3W Box I	ſ	Pend
29-2773	1/11/82	Devere Christensen	UGW-Well	DSI	Sec24T9NR3W Box 1		Pend
29-2774	1/19/82	Darrell Ravenberg	Unnamed Spr.	Power/Fish		,	Pend
29-2776	2/16/82	David R. Skidmore	UGW-Well	SI	Sec13T12NR2W Box	0.1	Pend
29-2781	2/26/82	Roylance Dairy, Inc.	East Pack &	0.7	G = 20 0mt 23 m 211 P =	0.10	Pend
00 0704	0.10.100	7. 1. 0.1	Barnard Spr	SI	Sec20T12NR2W Box	0.18	rena
29-2784	3/8/82	Harold Selman, Inc.	Unnamed Spr.	SI/Fish Cult/Stock	Sec6TllNR2W Box	E 0.1	Pend
29-2786	3/11/82	Utah Dept. of Transport.	UCH-Mol 1	1	Sec6TllNR3W Box		Pend
29-2788	3/11/82	W.F. Goring & Sons, Inc.		Irrigation	1	1	ł
25-2700	3/15/02	w.r. dolling a bons, line.	waste water	lifigation	beero III was box		
			Approved	Pending	Total		
Ì			- PP-OVCG	1 Charles	10041		1
Total Surface Water (Utah)			0	2127.13 cf	s 2127.13 cfs	; 	
Total Ground Water (Utah			0	13.20 ci	s 13.20 cfs	; 	
To	tal Stora	ge (Utah)	0	9,519 ac-1	t 9,519 ac-ft	:	
	*Inclu	des 2,105.3 cfs power	water				
	rian and a second						
			*.				
		•			•		
	The state of the s	-1	1	I	i	l .	5